

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

HARRY WILLIAM LOTT,

Plaintiff,

v.

Case No. 2:13-cv-0463

Judge Gregory L. Frost

Magistrate Judge Terrence P. Kemp

HMP OF WOOD COUNTY, PLLC,

Defendant.

ORDER

The Magistrate Judge conducted an initial screen of Plaintiff's Complaint as required by 28 U.S.C. § 1915(e)(2) and recommended that the Court dismiss this action for failure to state a claim upon which relief may be granted. (ECF No. 7.) Specifically, the Magistrate Judge concluded that Plaintiff's Complaint, which attempts to assert a claim under 15 U.S.C. § 1692b (a provision of the Fair Debt Collection Practices Act ("FDCPA")), fails to state a valid claim because Defendant is not a "debt collector" under the FDCPA, at least according to the allegations in the Complaint. (*Id.* at PAGEID# 21.)

The Report and Recommendation specifically advises Plaintiff that the failure to object to the Report and Recommendation within fourteen days of the date of the Report (*i.e.*, June 17, 2013) results in a "waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." (ECF No. 7 at PAGEID# 22.) The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Court **DISMISSES** Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE